

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

CHERYL A. BROOKS-BROWN

:

Debtor

:

Chapter 13

:

Case No. 18-10710 JKF

Hearing Date: February 6, 2019 @9:30

MOTION FOR SANCTIONS AGAINST CCRD GLOBAL LLC FOR VIOLATION OF
AUTOMATIC STAY

Cheryl A. Brooks-Brown, Debtor, through her attorney, files this Motion for Sanctions Against CCRD Global, LLC for Violation of Automatic Stay to Continue Stay pursuant to 11 USC Section 362, as follows:

1. Debtor filed her Petition in this matter, on February 2, 2018.
2. CCRD Global, LLC ("CCRD") is a secured creditor of Debtor, being the successor in interest to Nova Bank and CRE/ADC Venture 2013-1 LLC, pursuant to an assignment of a debt on or about March 14, 2018.
3. CCRD has been an active participant in these proceedings since at least August 2018.
4. Beginning in August 2018 and continuing through at least January 3, 2019, a representative of CCRD has sent harassing phone messages and text messages to Debtor's cell phone in an attempt to intimidate and coerce Debtor into taking action solely to CCRD benefit and to the detriment of the Debtor.
5. CCRD's actions were willful ad/or negligent, and are in violation of the automatic stay pursuant to 11 U.S.C. Section 365(1), (2), (3), (4) and/or (6).
6. Said actions of CCRD may also violate the federal Telephone Collection Practices Act.
7. Debtor has suffered severe emotional harm due to the actions of CCRD.
8. Debtor seeks an Order requiring CCRD to cease all communications and actions and awarding Debtor compensatory and punitive damages, along with attorneys fees.

WHEREFORE, Debtor requests that the Court enter an order requiring CCRD to cease all communications and actions and awarding Debtor compensatory and punitive damages, and attorneys fees, and for such other relief as the Court deems appropriate.

/s/ Robert M. Kline

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Dated: January 7, 2019